Objection Reviewing Officer, USDA Forest Service

Northern Region

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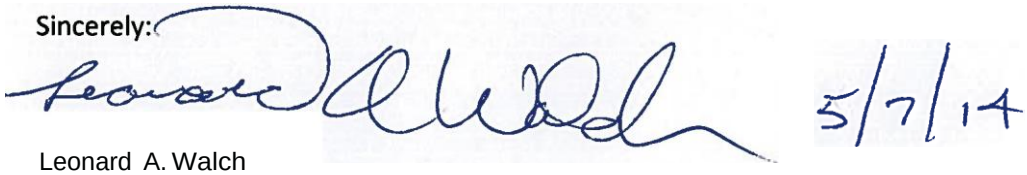
Included below are my objections pertaining to the Helena National Forest's Blackfoot Non-Winter Travel Plan.

Sincerely:



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I would first like to commend the Forest for identifying a preferred alternative in the Environmental Impact Statement that focuses on reducing the effects of roads on watershed, fishery, and wildlife while still providing for a substantial level of motorized recreational use throughout the Helena National Forests Blackfoot Travel Planning area.

The objections below are related to the Helena National Forests Blackfoot Travel Plan EIS on the Helena National Forest (William Avey, Responsible Official)

1. The FEIS does include direction for development of a plan that would set priorities for road and trail treatments such as decommissioning and storage (page 40 of the EIS and under Hydrology design features on page 42). However, the text on page 40 states sensitive soils, TMDLs, grizzly bears, and recreation needs will receive priority. There is no mention of bull trout or cutthroat trout. This may have been an oversight, but as the wording stands I maintain that the wording does not meet the standards provided for in the Inland Native Fish Strategy which is amended to the Helena Forest Plan. In my comments on the DEIS I included statements expressing that there should be a plan prioritizing decommissioning and storage developed from a fisheries perspective that focused on bull trout and cutthroat trout. From a bull trout perspective I expressed that the plan should be developed in a relatively quick time frame. Quick development of a prioritized list for bull trout would ensure that the species receives the consideration for management emphasis on federal lands in this project area as provided for under the Endangered Species Act. My DEIS comments also recommended that the road sediment and culvert surveys for fish passage and flood risk in the analysis area be completed very soon as that information could then be used to update any interim plan that is developed. I also believe that the needed maintenance work on roads within the system that are open yearlong or seasonally also need to be blended into the prioritization for decommissioning and storage. Development within the next year of a prioritized plan based on fisheries for decommissioning, storage and maintenance of all the roads in the project area and incorporation of that plan into an overall plan to be developed that includes priorities for other resources mentioned earlier would resolve my objection-- as long as bull trout were given equal weighting with the other resources mentioned earlier in this objection statement. I do believe some criteria were mandated by the biological opinion for bull trout on the earlier completed Blackfoot Winter Travel Plan and those criteria also included a time frame. Resolution of my objection could also be achieved by incorporating the direction in that biological opinion as aquatic project design criteria for the Blackfoot Non winter Travel plan.

2. I believe there is an error in disclosure as related to the National Environmental Policy Act for road maintenance needs between alternatives. Page 88 of the EIS states that road maintenance needs and backlog will remain the same for all alternatives including the No Action alternative. How can this be

given that Alternatives 3 and 4 have over 150 fewer crossings and substantially fewer road miles to maintain compared to current levels and to Alternative 2? This may seem like a minor detail, but it is important because individuals not wanting any roads taken off the system could make the argument that there is no benefit to be gained from a road maintenance perspective with the reduction in road miles and stream crossings that would occur in alternative 3 or 4. I commented on this road maintenance issue in the draft EIS and I don't see the rationale in the Transportation Section to explain away my concern over what I believe is faulty disclosure. The remedy to this objection would be to adjust the explanation in an errata sheet if the current statement is inaccurate or provide additional explanation to me as to why the current disclosure is accurate.

3. The hydrology section of the EIS estimated sediment coming from roads in the analysis area. However, only roads within 150 feet of streams were considered to be delivering sediment to streams. The Inland Native Fish strategy (Infish) uses a 300 foot "RHCA" buffer adjacent to streams supporting fish and assumes activities or infrastructure within that buffer poses risk for fish occupied streams. Importantly, Infish allows for modification of that buffer with site specific information. The 300 foot buffer in Infish was adopted based on numerous publications to provide protection for fish occupied streams unless there is site specific information showing the buffer could be reduced in size and still be effective. Some site specific road surveys have been done by the Forest, but the wording used in the EIS as justification for not including roads up to 300 feet from fishery streams as potential sediment producers are experience and a citation from a single non-peer reviewed publication. I object to eliminating roads more than 150 feet from streams as sediment producers given the approach in Infish (which is an amendment to the Helena Forest Plan) and expressed those concerns in my comments on the Draft EIS. Not including roads more than 150 feet from fishery streams may be important if in reality some of the roads more than 150 feet from fishery streams were delivering substantial amounts of sediment to streams occupied by fish. I am not promoting a "redo" of the sediment modeling for the EIS. Instead this objection is more of a concern over the immediate need for development of the prioritized plan for decommissioning, long term storage, and maintenance on open and seasonally open system roads. My objection can easily be addressed by completing the sediment survey of roads as promoted in my objection discussed #1 above.

4. Project design features on page 41 #9 of the EIS include monitoring to ensure adverse effects in streamside areas do not occur associated with dispersed camping and implementation of the 300 foot rule. This approach would meet the intent of the Inland Fish Strategy and meet the Helena Forest plan if the monitoring actually occurs and standards are rigorously enforced. Importantly though, as I brought out in my comments on the DEIS related to the 300 foot rule, one needs baseline inventory information to determine if changes have occurred over time. I believe this baseline information should include specifics on the size of the recreation site, the non-system route that accesses the site and any other existing non-system routes at the site. This information is important over time as there is a tendency for campsites and off system routes to expand. This can be especially problematic where there is access to easy firewood cutting. For the Analysis Area my main concern areas are related to bull trout critical habitat. My objection could be resolved by expanding the aquatic project design criteria to include baseline inventory of dispersed campsites and routes accessing those campsites within 300 feet of streams in the Copper Creek drainage, along Poorman Creek, the South Fork of Poorman Creek, as well as any dispersed sites along Helena Forest administered lands along the mainstem Blackfoot River.

5. The Biological Assessment (BA) was not available for me to review until recently so my assumption is that I can object to information presented in that document. Objections 6, 7 and 8 are related to the BA. In looking over the table on bull trout presence in the BA I noticed that bull trout are not considered to be present in Middle Nevada or Upper Nevada Creek HUCs. Fishery personnel on the Helena Forest have completed surveys documenting the presence of bull trout in Upper Nevada in the late 1990s and again around 2010 or 2011. Reports by reputable individuals have caught bull trout in Nevada Creek reservoir so they should be considered present in Nevada Creek within the Middle Nevada HUC. Additionally Lower Alice Creek does not show bull trout as present. They have been found in lower Alice Creek at times in the past and should still be considered present unless none were found during sampling efforts that meet the protocol of the American Fisheries Society for fish species presence sampling. This important as the presence of bull trout can play a part in prioritization as to where roadwork is completed. This could be remedied by ensuring the Fish and Wildlife Service is aware of the error and the Forest data base corrected to show the change.

6. The assessment of effect for bull trout Critical Habitat in the Biological Assessment is May Affect Not Likely to Adversely Affect. I believe this is an erroneous call and violates the Endangered Species Act.

I object to this call by the Forest Service as only limited reductions in sediment production from roads to critical habitat is occurring. In Copper Creek sediment production has been modeled to be reduced by 3% while in Poorman Creek the projected reduction is 8%. For the main stem Blackfoot River the overall reduction is projected to be about 3%. When it has already been concluded earlier in the BA that adverse effects to bull trout are ongoing due in part to sediment effects from roads it seems a stretch to conclude that now sediment delivery to bull trout critical habitat in Copper Creek, Poorman Creek and the Blackfoot River from roads is not adverse; especially when the reductions in sediment delivery are so small. The call for bull trout Critical Habitat should have been May Affect Likely to Adversely Affect for the Blackfoot Non-winter Travel Plan. Hopefully discussions between the Forest Service and US. Fish and Wildlife Service biologists will ensure that the proper consultation on bull trout critical habitat is completed.

7. Regarding bull trout critical habitat in Copper Creek I do not believe there are adequate measures being proposed to minimize risk for adverse effects to bull trout habitat. If measures are inadequate then the intent of the Inland Native Fish Strategy (an amendment to the Helena Forest Plan) would not be met. As proposed in the EIS, monitoring of firewood cutting and dispersed camping is supposed to ensure negative effects to habitat do not occur. Currently a firewood restriction of no cutting within 100 feet of streams is used on the Helena Forest. The 100 foot limitation is not adequate protection in a drainage like Copper Creek with a wide floodplain and overflow channels where woody debris recruitment plays an important aspect in the formation of habitat for bull trout. My objection could be remedied by continuing with the special closure for firewood cutting on the main stem of Copper Creek that was successfully implemented by the district following the Snow-Talon Fire in 2003 to minimize risk for effects from firewood cutting. I also believe the biological assessment should have specified mapping of dispersed sites and the routes to access those sites as part of minimizing effects to bull trout critical habitat (see my objection #4 earlier).

8. I am somewhat amazed that the EIS contains no narrative discussion addressing effects to bull trout, The summary table in Chapter 2 does provide an overall call for adverse effects. Thus, I have no real grounds for objection regarding effects disclosure under NEPA- it just seems the Forest could have been more forthcoming with some narrative discussion in the EIS regarding effects to bull trout given the in depth discussion given to the viability of cutthroat trout and the fact that bull trout is a listed species.